

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
FORT PIERCE DIVISION**

**CASE NO. 22-14419-CIV-CANNON/McCabe**

**RANALD JONES,**

Plaintiff,

v.

**TEEN CHALLENGE OF FLORIDA, INC.**  
*a Florida Not for Profit Corporation,*

Defendant.

---

**ORDER ACCEPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION [ECF No. 17]**

**THIS CAUSE** comes before the Court upon the Magistrate Judge's Report and Recommendation on Defendant's Motion to Dismiss Plaintiff's Complaint (the "Report") [ECF No. 17], issued on April 17, 2023. On February 8, 2023, Defendant filed a Motion to Dismiss Plaintiff's Complaint (the "Motion") [ECF No. 11]. On April 17, 2023, following referral, Judge McCabe issued a Report recommending that the Motion be granted [ECF No. 17 pp. 1, 5]. Objections to the Report were due on May 1, 2023 [ECF No. 17 p. 5]. No party filed objections, and the time to do so has expired [ECF No. 17 p. 5].

To challenge the findings and recommendations of a magistrate judge, a party must file specific written objections identifying the portions of the proposed findings and recommendation to which objection is made. *See* Fed. R. Civ. P. 72(b)(3); *Heath v. Jones*, 863 F.2d 815, 822 (11th Cir. 1989); *Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). A district court reviews de novo those portions of the report to which objection is made and may accept, reject, or modify in whole or in part, the findings or recommendations made by the magistrate judge. 28 U.S.C. § 636(b)(1). To the extent a party fails to object to parts of the magistrate judge's report,

CASE NO. 22-14419-CIV-CANNON/McCabe


the Court may accept the recommendation so long as there is no clear error on the face of the record. *Macort*, 208 F. App'x at 784. Legal conclusions are reviewed de novo, even in the absence of an objection. *See LeCroy v. McNeil*, 397 F. App'x 554, 556 (11th Cir. 2010); *Cooper-Houston v. S. Ry. Co.*, 37 F.3d 603, 604 (11th Cir. 1994).

Following de novo review, the Court finds the Report to be well reasoned and correct. For the reasons set forth in the Report [ECF No. 17 pp. 2–5], it is hereby

**ORDERED AND ADJUDGED** as follows:

1. The Report and Recommendation [ECF No. 17] is **ACCEPTED**.
2. The Motion [ECF No. 11] is **GRANTED**.
3. Plaintiff will have **one final opportunity** to file an Amended Complaint that is consistent with the Report [ECF No. 17], but any such Amended Complaint must be filed on or before **May 16, 2023**.
4. Plaintiff is advised that any Amended Complaint must clearly set forth the allegations supporting each claim for relief; separate each cause of action or claim for relief into a different count; and clearly and specifically identify which acts or omissions give rise to liability. In sum, the complaint must give defendant adequate notice of each claim against it and the grounds upon which each claim rests.
5. **Failure to timely file an Amended Complaint will result in dismissal of this case without further notice.**

**DONE AND ORDERED** in Chambers at Fort Pierce, Florida, this 2nd day of May 2023.

  
AILEEN M. CANNON  
UNITED STATES DISTRICT JUDGE

cc: counsel of record